



## LESSON 2 WORKSHEET 1

### Courtroom drama

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#### CASE STUDY 1

### Use of 'kettling' to contain young protesters at the 'Climate Camp'

On 1 April 2009, two large demonstrations took place in the City of London. One was held near the Bank of England and was about how, in the protesters' opinion, banks in the UK have mismanaged money.

The second one was about climate change – the protesters were asking for governments to do more to protect the environment and prevent climate change. This protest was known as the 'Climate Camp', and was about a quarter of a mile away from the other protest.

The protesters at the bank tried to set fire to the Bank of England offices, threw missiles and stole computer equipment. However, the climate change protest was very peaceful, with music being played and no violence.

The police decided to 'kettle' all the protesters at the bank protest. This meant that they forced all the protesters to stay in one area and prevented them from moving outside of that area for the whole afternoon. This was to prevent the violence from spreading to other parts of the city and affecting other people.

The police also decided that when the protesters at the Bank of England were being allowed to leave, the protesters at the Climate Camp would also be kettled. They said this was to prevent the violence from the Bank of England demonstration spilling over into the Climate Change protest.

Two of the protesters who were 'kettled' by police at the Climate Camp brought a case against the police in the High Court arguing that the police had breached their human rights. They felt that it was unfair for them to be 'kettled' when their protest was peaceful.

#### TASK

Read the text above together as a group.

Refer to the Human Rights Act and make a note of which human rights are relevant in this case. (Think of the rights of the protesters and the rights of other people in the areas where the protests were taking place.)

Decide who is going to play the following roles in the courtroom and write the script for your presentation.

**Narrator:** You introduce the case to the class, explaining clearly what it is about and what human rights are involved.

**The prosecution lawyers:** You will speak on behalf of the protesters from the Climate Camp. You must argue why you think the police were wrong to 'kettle' them. You must persuade the rest of the class that you are right and justify your opinion.

**The defence lawyers:** You will speak on behalf of the police. You must argue why you thought it was necessary to 'kettle' the protesters at the Climate Camp. You must persuade the rest of the class that you are right and justify your opinion.

Which side will be the most persuasive?



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#### CASE STUDY 2

### Hitting children is part of my religion

'Corporal punishment' (hitting children if they break the rules) is against the law in UK schools.

A group of headteachers, parents and teachers at four schools took a case to court claiming that this law was against their Christian religion, and therefore breached their human rights.

They felt that parents should be allowed to decide whether or not their children could be hit by teachers as a punishment.

The parents and teachers argued that certain sections in the Bible say that it is important to discipline children by hitting them, so that they learn how to behave properly. 'He who spares the rod hates his son, but he who loves him is diligent to discipline him.' *Proverbs 13:24*

The other side of the argument is that the law against corporal punishment is there to protect the rights of children in schools.

Experts say that hitting children as a punishment causes distress, pain and other harmful effects. The American Psychological Association (APA) claims that corporal punishment is 'violent and unnecessary, may lower self-esteem, and is liable to instil hostility and rage without reducing the undesired behaviour'. The APA also states that corporal punishment is likely to train children to use physical violence.

#### TASK

Read the text above together as a group.

Refer to the Human Rights Act and make a note of which human rights are relevant in this case. Think about the rights of the children and their parents.

Decide who is going to play the following roles in the courtroom and write the script for your presentation.

**Narrator:** You introduce the case to the class, explaining clearly what it is about and what human rights are involved.

**The prosecution lawyers:** You are speaking on behalf of the parents and teachers who think that they should be allowed to hit children in school. You must persuade the rest of the class that you are right and justify your opinion.

**The defence lawyers:** You are speaking on behalf of the government. You are arguing that the law is right to prevent teachers from hitting children in schools. You must persuade the rest of the class that you are right and justify your opinion.

Which side will be the most persuasive?



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#### CASE STUDY 3

### Rio Ferdinand

Rio Ferdinand was appointed captain of the England football team in February 2010. On 25 April 2010 the *Sunday Mirror* wrote an article about Rio Ferdinand's relationship with Carly Storey. According to the article, Carly was still Rio's girlfriend even after he had married Rebecca Ellison in June 2009.

The newspaper article said that before 2006, Rio had a 'wild reputation' as someone with lots of different girlfriends, but in an interview with another newspaper, the *News of the World*, in 2006, he claimed that he was no longer like that and vowed not to cheat on his wife. The newspaper claimed that Rio was lying as he was still being unfaithful to his wife and hadn't changed at all.

Rio Ferdinand took the *Sunday Mirror* to court claiming that the newspaper had breached his human rights by publishing stories about his private life.

The *Sunday Mirror* argued that they were right to print the story to correct the public image that Rio had created of himself as a 'family man' as they felt that this was false. They questioned whether he was a good enough role model to be captain of the England football team.

### TASK

Read the text above together as a group.

Refer to the Human Rights Act and make a note of which human rights are relevant in this case. Think about Rio's rights, and the rights of those working for the newspaper.

Decide who is going to play the following roles in the courtroom and write the script for your presentation.

**Narrator:** You introduce the case to the class, explaining clearly what it is about and what human rights are involved.

**The prosecution lawyers:** You are speaking on behalf of Rio Ferdinand. You must persuade the rest of the class that his human rights have been abused by the newspaper, and justify your opinion.

**The defence lawyers:** You are speaking on behalf of the *Sunday Mirror* newspaper. You must persuade the rest of the class that the paper was right to print the story, and justify your opinion.

Which side will be the most persuasive?



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#### CASE STUDY 4

### **Criminal sent to live in the country where he was born**

This case is about a man who was born in Pakistan in 1971 and came to live in the UK when he was seven years old.

Since 1992 he has constantly been in trouble with the police and has been in prison several times for robbery, violence, driving a car without a licence, and dangerous driving.

In 2006 the government ordered that the man should be sent to live in Pakistan where he was born, and should not be allowed to live in the UK. They felt that they had to send him back to Pakistan in order to protect the other people in the UK from his violence and other crimes.

The man claimed that this breached his human rights because he has six children in the UK between the ages of 12 and 17 and because his mother is very ill with diabetes and a heart condition.

He is no longer with the mother of his children. He says he speaks to his children every day on the telephone but hasn't seen them since 2000.

#### TASK

Read the text above together as a group.

Refer to the Human Rights Act and make a note of which human rights are relevant in this case. (Think of the rights of the man and the rights and safety of other people living in the UK.)

Decide who is going to play the following roles in the courtroom and write the script for your presentation.

**Narrator:** You introduce the case to the class, explaining clearly what it is about and what human rights are involved.

**The prosecution lawyers:** You speak on behalf of the man from Pakistan. You must persuade the rest of the class that he should be allowed to stay in the UK, and justify your opinion.

**The defence lawyers:** You speak on behalf of the government. You must persuade the rest of the class that the government were right to send the man back to Pakistan, and justify your opinion.

Which side will be the most persuasive?



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#### CASE STUDY 5

### Closure of care homes

A local authority in the north of England wanted to close two care homes for older people to save money.

They said that they would talk to the people living in the care homes and their families to make sure they took their views into account when making their decision.

After a series of meetings the council's Scrutiny and Review Panel met and decided to close the homes. The people living in the homes took the council to court arguing that the council had not considered their human rights when deciding to close the care home.

The local authority argued that they had to close the homes to save money and that this would mean they could protect other services such as health care and education for the wider community.

### TASK

Read the text above together as a group.

Refer to the Human Rights Act and make a note of which human rights are relevant in this case. Think of the rights of the elderly people, and the rights of the wider community who receive services from the council.

Decide who is going to play the following roles in the courtroom and write the script for your presentation.

**Narrator:** You introduce the case to the class, explaining clearly what it is about and what human rights are involved.

**The prosecution lawyers:** You will speak on behalf of the old people and their families. You must persuade the class that the council were wrong to close the care home, and justify your opinion.

**The defence lawyers:** You will speak on behalf of the council. You must persuade the class that the council did not have the money to keep the care home open and that they did take into account the rights of the old people living there.

Which side will be the most persuasive?



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#### CASE STUDY 6

### Quality of life for two young disabled girls

Two young girls (aged 11 and 13) with severe learning and physical disabilities lived at home with their Mum and Stepfather.

They needed 24-hour care and help with all activities of daily life. The girls had care workers from the council who would come in and help the family.

At home, a hoist was often used to lift the young girls to and from bed or bath. They also enjoyed swimming, horse riding and shopping and because there was no hoist available when they were out of the house, their care workers often had to lift them.

The council brought in a new rule which said that they would no longer let any of their care workers do any heavy lifting. This was designed to protect the health of council workers in general but it also meant that they could no longer take the girls out of the house.

The girls' family took the council to court claiming that the ban on lifting was affecting the girls' quality of life and human rights.

#### TASK

Read the text above together as a group.

Refer to the Human Rights Act and make a note of which human rights are relevant in this case. (Think of the rights of the girls and the rights of the council workers.)

Decide who is going to play the following roles in the courtroom and write the script for your presentation.

**Narrator:** You introduce the case to the class, explaining clearly what it is about and what human rights are involved.

**The prosecution lawyers:** You will speak on behalf of the girls and their family. You must persuade the rest of the class that the actions of the council were against the girls' human rights, and justify your opinion.

**The defence lawyers:** You will speak on behalf of the council. You must persuade the class that the ban on lifting was necessary to protect the rights of the council's workers, and justify your opinion.

Which side will be the most persuasive?